

IC 22-10-12

Chapter 12. Safety Equipment and Safeguards

IC 22-10-12-1

Personal injuries; burns; medical attendance and treatment

Sec. 1. It shall be the duty of every owner or operator who is engaged, within this state, in the business of removing any material in the commercial operation of mines or quarries from underneath the surface of the earth, to keep always on hand, readily accessible and near the entrance of the place where such excavations are being carried on, a properly constructed and comfortable stretcher; a woolen and waterproof blanket; rolls of bandages of different widths, in good condition for immediate use for bandaging and dressing the wounds of any person who is injured at such place; a supply of tannic acid powder for burns; camphor, turpentine, antiseptic gauze, dressing and surgeon's splints for the dressing of broken bones; and also to provide a comfortable apartment in which the aforementioned supplies may be properly kept, and in which any person who is injured may rest while awaiting transportation to his home or to a hospital, and to provide for the speedy transportation of any person who is injured in such industry to his home or to a hospital.

(Formerly: Acts 1935, c.130, s.1.)

IC 22-10-12-2

Fire extinguishers

Sec. 2. Every owner or operator who is engaged in any such industry, where the product is brought to a tippie to be loaded, shall keep and maintain at least three (3) fire extinguishers of a standard type at all times in such tippie and engine-house.

(Formerly: Acts 1935, c.130, s.2.)

IC 22-10-12-3

Electric machinery; insulated tools; protective devices

Sec. 3. (a) Every owner or operator who is engaged in any such industry that uses electrically driven machinery, and where a cable or other conductor is used to transfer power from a transformer to machinery, shall furnish the workmen with suitable insulated tools for handling such cable while the power is on. All electric switches shall be inclosed or properly guarded and the voltage shall be designated by a sign on or near the switch; in bold type not less than one (1) inch in height.

(b) When the voltage exceeds 440 A.C. or 600 D.C. current the cable or conductor shall be disconnected from the line or the power turned off; or provide the men with suitable protective devices, approved by the board of insurance underwriters. The provisions of subsection (b) of this section shall not apply to underground mines.

(Formerly: Acts 1935, c.130, s.3.)

IC 22-10-12-4

(Repealed by P.L.165-1997, SEC.12.)

IC 22-10-12-5

Repealed

(Repealed by P.L.165-1997, SEC.12.)

IC 22-10-12-6

Explosives; storage

Sec. 6. Every owner or operator who is engaged in any such industry where powder is stored in car-load lots for future use, shall maintain a suitable powder house not less than five hundred (500) feet from the mouth of the workings: Provided, That not more than two hundred (200) pounds of powder may be stored not less than two hundred and fifty (250) feet from the mouth of the workings for immediate use when blasting is being done.

(Formerly: Acts 1935, c.130, s.6.)

IC 22-10-12-7

Geared machinery; guards

Sec. 7. All geared machinery, where gears are exposed, shall be properly guarded with standard guards commonly used for such purposes.

(Formerly: Acts 1935, c.130, s.7.)

IC 22-10-12-8

Repealed

(Repealed by Acts 1978, P.L.2, SEC.2251.)

IC 22-10-12-9

Repealed

(Repealed by Acts 1978, P.L.2, SEC.2251.)

IC 22-10-12-10

Mine rescue team equipment

Sec. 10. The bureau of mines and mine safety shall acquire and maintain at all times the breathing apparatuses, universal testers, booster pumps, and related equipment required to equip two (2) complete rescue teams. This mine rescue equipment shall be housed under the direction of the bureau.

As added by P.L.232-1983, SEC.1. Amended by P.L.37-1985, SEC.52.

IC 22-10-12-11

Mine rescue team; training; compensation

Sec. 11. (a) A mine rescue team consisting of at least five (5) members and two (2) alternate members shall be provided at each underground mine in Indiana. A team may not have fewer than five (5) members for more than sixty (60) days.

(b) The bureau of mines and mine safety shall provide initial training of not less than twenty (20) hours and annual retraining for each member of a mine rescue team of not less than eight (8) hours in segments of not less than four (4) hours.

(c) When practical, members of a mine rescue team shall be made up of supervisory and nonsupervisory employees.

(d) Each member of a mine rescue team shall be fully compensated by the owner or operator for wages lost and expenses incurred while being trained under this section if the employee elects to be compensated.

(e) Compensation for damages arising from the injury or death of a member of a mine rescue team while performing rescue operations shall be limited to the rights and remedies provided by the injured person's employer. However, the injured person's employer is entitled to reimbursement from the mine operator whose mine is the subject of the rescue attempt for the actual cost to the employer that is attributable to the injury.

(f) An operator who has fewer than fifteen (15) mine employees at a mine may, with the approval of the director, contract with another operator for the services of a mine rescue team. In which case, none of the team members need be an employee of the operator.

(g) The operator of the mine that is the subject of the rescue attempt shall reimburse the bureau for the actual cost of a mine rescue operation, including compensation for all mine rescue team members.

As added by P.L.232-1983, SEC.2. Amended by P.L.37-1985, SEC.53; P.L.243-1987, SEC.13; P.L.215-1989, SEC.6; P.L.1-1990, SEC.239.

IC 22-10-12-12

Mine disaster rescue operations

Sec. 12. In the event of an underground mine disaster, the director of the bureau of mines and mine safety, in cooperation with interested federal agencies, shall order and coordinate the rescue operations by mine rescue teams.

As added by P.L.232-1983, SEC.3. Amended by P.L.37-1985, SEC.54.

IC 22-10-12-13

Annual statistical report; list of rescue teams

Sec. 13. The director of the bureau of mines and mine safety shall provide an annual statistical report including a list of all trained mine rescue teams. The report shall be sent to all mines that have mine rescue teams.

As added by P.L.232-1983, SEC.4. Amended by P.L.37-1985, SEC.55.

IC 22-10-12-14

Application of certain sections to surface coal mines

Sec. 14. Sections 10, 11, 12, and 13 of this chapter apply to any surface coal mine at the request of the mine owner or operator.

As added by P.L.232-1983, SEC.5.

IC 22-10-12-15

Mine rescue team training schedule

Sec. 15. Training of mine rescue teams under this chapter must begin no later than November 1, 1983, or within sixty (60) days after the opening of a mine and shall be completed within one hundred twenty (120) days after training begins.

As added by P.L.232-1983, SEC.6.

IC 22-10-12-16**Mine safety fund; establishment; administration**

Sec. 16. (a) The mine safety fund is established to provide funding for the purchase and maintenance of underground mine rescue equipment.

(b) The department of labor shall administer the fund.

(c) The fund consists of:

(1) assessments collected by the mining board under IC 22-10-1.5-5(a)(5) and deposited into the fund; and

(2) interest from investments as accrued and deposited under subsection (d).

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accumulates from these investments shall be deposited into the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.187-2003, SEC.3.